

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1222-02
Bill No.: SCS for SJR 16
Subject: Constitutional Amendments; Education, Elementary and Secondary; Education, Higher; General Assembly; Political Subdivisions; Public Buildings; Public Records; Public Meetings; State Employees; Religion
Type: Original
Date: April 15, 2011

Bill Summary: Proposes a constitutional amendment reaffirming a citizen's right to free expression of religion.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
General Revenue	\$0 or (More than \$7,000,000)	\$0 or (More than \$7,000,000)	\$0
Total Estimated Net Effect on General Revenue Fund	\$0 or (More than \$7,000,000)	\$0 or (More than \$7,000,000)	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Governor** assume no fiscal impact from this proposal.

Officials from the **Office of the Attorney General (AGO)** assume that any potential costs arising from this proposal can be absorbed with existing resources.

Officials at the **Office of the Secretary of State (SOS)** assume unless a special election is called for the purpose, Joint Resolutions are submitted to a vote of the people at the next general election. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2 RSMo requires the state to pay the costs. Article III section 52(b) of the Missouri Constitution authorizes the general assembly to order a special election for measures referred to the people and Article XII section 2(b) authorizes the governor to call a special election to submit constitutional amendments to a vote of the people.

The SOS is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article I, Section 26, 27, 28 of the Missouri Constitution and Section 116.230-116.290, RSMo. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. Funding for this item is adjusted each year depending upon the election cycle with \$1.3 million historically appropriated in odd numbered fiscal years and \$100,000 appropriated in even numbered fiscal years to meet these requirements. The appropriation has historically been an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2011, at the August and November elections, there were 6 statewide Constitutional Amendments or ballot propositions that cost \$1.02 million to publish (an average of \$170,000 per issue). Therefore, the Secretary of State's office assumes, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. However, because these requirements are mandatory, we reserve the right to request funding to meet the cost of our publishing requirements if the Governor and the General Assembly change the amount or eliminate the estimated nature of our appropriation.

ASSUMPTION (continued)

Oversight has reflected in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2012. This reflects the decision made by the Joint Committee on Legislative Research, that the cost of the elections should be shown in the fiscal note. The next scheduled general election is in February 2012 (FY 2012). It is assumed the subject within this proposal could be on that ballot; however, it could also be on a special election called for by the Governor. Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2012.

To estimate the expense the state would incur for reimbursing local political subdivisions for a special election, Oversight requested expense estimates from all election authorities for an election. Eighty-six out of the one hundred fifteen election authorities responded to Oversight's request. From these respondents; the total election expense that would have to be reimbursed by the state government is over \$7 million. Therefore, Oversight will reflect a potential cost borne by the state in FY 2012 of over \$7 million for reimbursement to the local political subdivisions. Oversight assumes the Governor could call for a special election to be held prior to February 2012 regarding this joint resolution; however, if a special election is not called, the subject will be voted on at the general election in February , 2012.

Officials from the **Department of Social Services, Department of Public Safety, Missouri Senate, Office of the Governor, Department of Labor and Industrial Relations, Department of Agriculture, Office of the State Courts Administrator, Department of Mental Health, Department of Transportation, Department of Economic Development, Office of the State Treasurer, Department of Health and Senior Services, Department of Revenue, Missouri Ethics Commission, Department of Conservation, Department of Natural Resources, Joint Committee on Administrative Rules, Office of the State Public Defender, State Tax Commission, Office of Administration - Administrative Hearing Commission, Missouri Consolidated Health Care Plan, Office of the State Auditor, Missouri Gaming Commission, Department of Elementary and Secondary Education, Missouri House of Representatives, Attorney General's Office, Missouri Veteran's Commission, Department of Insurance, Financial Institutions and Professional Registration, Division of Fire Safety, City of St. Louis, Joint Committee on Public Employee Retirement, Department of Higher Education, Missouri State Employees Retirement System, Missouri Lottery and the Missouri Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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GENERAL REVENUE

<u>Expense</u> - reimbursement of local political subdivisions for special election costs	\$0 or (More than <u>\$7,000,000</u>)	<u>\$0 or (More than \$7,000,000)</u>	<u>\$0</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>\$0 or (More than \$7,000,000)</u>	<u>\$0 or (More than \$7,000,000)</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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LOCAL POLITICAL SUBDIVISIONS

<u>Income</u> - cost reimbursement from the State for special election	\$0 or More than \$7,000,000	\$0 or More than \$7,000,000	\$0
<u>Expense</u> - cost for special election	\$0 or (More than <u>\$7,000,000</u>)	<u>\$0 or (More than \$7,000,000)</u>	<u>\$0</u>
ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Upon voter approval, this constitutional amendment reaffirms a citizen's right to free expression of religion.

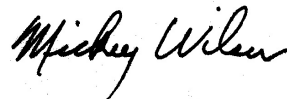
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Office of the Governor
Office of the Attorney General
Missouri Consolidated Health Care Plan
Department of Labor and Industrial Relations
Department of Mental Health
Department of Elementary and Secondary Education
Department of Health and Senior Services
Missouri Senate
Missouri House of Representatives
Department of Transportation
State Tax Commission
Office of State Public Defender
Missouri Highway Patrol
Department of Economic Development
Office of State Courts Administrator
Department of Revenue
Missouri Veteran's Commission
Department of Insurance, Financial Institutions & Professional Registration
Division of Fire Safety
State Auditor's Office
City of St. Louis
Department of Conservation
Department of Public Safety
Joint Committee on Public Employee Retirement
Missouri Gaming Commission

SOURCES OF INFORMATION (continued)

State Treasurer's Office
Department of Higher Education
Missouri State Employees Retirement System
Missouri Ethics Commission
Department of Agriculture
Missouri Lottery
Department of Natural Resources
Office of Administration -
Administrative Hearing Commission



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Director
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